IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE V.K.MOHANAN

MONDAY, THE 6TH AUGUST 2007 / 15TH SRAVANA 1929

WA.No. 2184 of 2006()

AGAINST THE JUDGEMENT IN WPC.31768/2005 Dated 16/01/2006
.....

APPELLANT: 1ST RESPONDENT IN THE WRIT PETITION:

DEPUTY DIRECTOR OF COLLEGIATE EDUCATION,
MAHARAJAS COLLEGE CAMPUS, ERNAKULAM.

BY GOVERNMENT PLEADER

RESPONDENTS: 1ST RESPONDENT/PETITIONER IN THE WRIT PETITION:
---

1. DR.V.S.ANTONY, PAZHAYAKKAT,
ST.ANTONY'S ROAD, EDAKOCHI, KOCHI-6.

2. MAHATMA GANDHI UNIVERSITY REPRESENTED
BY ITS REGISTRAR, PRIYADARSHINI ROAD,
ATHIRAMPUZHA, KOTTAYAM.

3. THE PRINCIPAL, AQUINAAS COLLEGE,
EDAKOCHI, KOCHI-6.

BY ADV. SRI. T.A. SHAJI, SC, M.G.UNIVERSITY
GOVERNMENT PLEADER SRI.SANDHESH RAJA

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 06/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN & V.K.MOHANAN, JJ

W.A. 2184/2006

Dated this the 6th day of August, 2007

JUDGMENT

Radhakrishnan, J.

Heard both sides.

2. Writ petition 31768/2005 was preferred seeking a writ of mandamus directing the first respondent to re-fix the pay, pension of the petitioner on account of Exts.P2 to P4 and disburse all arrears thereof to the petitioner. A writ of mandamus was also sought for directing the respondents to sanction and disburse all retirement benefits due to the petitioner with interest and other consequential benefits.

3. Petitioner, the first respondent herein, was appointed on a leave vacancy and it was approved by the Government. He retired from service on 30.4.2005. Complaint is that till then, his pay has not been revised and retirement benefits are not sanctioned. He preferred Ext.P5 representation before the first respondent, Director of Collegiate Education, requesting him to take action on Ext.P5 and disburse him the necessary benefits. Learned Single Judge disposed of the writ petition directing the first respondent to ensure that the pay of the petitioner is re-fixed in the light of Exts.P2 and P3.

4. Petitioner's prayer is to direct the Director of Collegiate Education, Thiruvananthapuram, to pass appropriate orders on Ext.P5. Petitioner may make a comprehensive representation referring to all Government orders on the subject in the event of which, Director of Collegiate Education would examine all the materials and pass appropriate orders in accordance with law.

5. Considering the grievances raised by the petitioner and that he had retired from service, final orders shall be passed by the Director of Collegiate Education within a period of three months from the date of receipt of a copy of this judgment.

K.S.RADHAKRISHNAN
Judge

V.K.MOHANAN
Judge

mrcs